

**240 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-44042-2019

Date of Decision : November 16, 2019

Surjit Singh		Petitioner
	Versus	
State of Punjab		Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Hoshiar Singh, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This is the first petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No.07 dated 17.1.2013 under Section 406 and 420 IPC, registered at Police Station Talwandi Chaudhrian, District Kapurthala.

Counsel for the petitioner submits that the allegations in the FIR are that the complainant has sold the vehicle to the petitioner on the responsibility of one Mazhar and the petitioner had not paid the money back to him. Counsel for the petitioner further submits that the petitioner was earlier granted the concession of regular bail, however, he was, later on, declared as proclaimed offender. Counsel for the petitioner submits that the petitioner is in custody since 24.4.2019 and the challan stood presented and the case is triable by the Court of Magistrate.

Learned State counsel has opposed the prayer on the ground that on earlier two occasions, the petitioner had

been declared a proclaimed offender and there is every apprehension that in case he is granted the concession of regular bail, he may again abscond from the Court proceedings.

After hearing counsel for the petitioner as well as the learned State counsel; considering the fact that the petitioner is in custody for the last about 07 months, this petition is allowed and the petitioner is directed to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

November 16, 2019
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Whether speaking/reasoned : YES / NO
Whether reportable : YES / NO